

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

EMMANUEL ASHEMUKE,

Petitioner,

v.

ICE FIELD OFFICE DIRECTOR,

Respondent.

Case No. C23-1592-RSL

ORDER DENYING MOTION FOR
TEMPORARY RESTRAINING ORDER

The Court, having reviewed the petition for writ of habeas corpus, petitioner's motion for temporary restraining order, the government's response to petitioner's motion, the Report and Recommendation of the Honorable Michelle L. Peterson, United States Magistrate Judge, petitioner's objections thereto, and the remaining record, hereby finds and ORDERS:

(1) The Report and Recommendation is approved and adopted. Petitioner seeks a mandatory injunction. Even considering the new information submitted with petitioner's objections, he has not shown that the Martinez factors, on balance, clearly favor a finding that petitioner's § 1226(c) detention has become unreasonable. *Martinez v. Clark*, 2019 WL 5968089, at *6 (W.D. Wash. May 23, 2019), *report and recommendation adopted*, 2019 WL 5962685

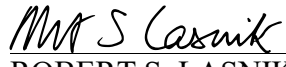
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1 (W.D. Wash. Nov. 13, 2019) (quoting *Sajous v. Decker*, 2018 WL 2357266, at *8 (S.D.N.Y.
2 May 23, 2018), and collecting cases).

3 (2) Petitioner's motion for temporary restraining order (dkt. # 8) is DENIED.

4 (3) The Clerk is directed to send copies of this Order to Petitioner, to counsel for
5 Respondent, and to Judge Peterson.

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7 Dated this 22nd day of January, 2024.

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9 ROBERT S. LASNIK
10 United States District Judge
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